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22 Attorney for Defendants
23 WELLS FARGO BANK, N.A. AS TRUSTEE
24 FOR OPTION ONE MORTGAGE LOAN
25 TRUST 2007-1, ASSET-BACKED
26 CERTIFICATES, SERIES 2007-1 (erroneously
sued as Wells Fargo Bank, N.A.) and
HOMEWARD RESIDENTIAL, INC. (fka
American Home Mortgage Servicing, Inc.)

27 UNITED STATES DISTRICT COURT

28 NORTHERN DISTRICT OF CALIFORNIA

29 SCOT TOWNSEND, an individual; and
30 SHELLY TOWNSED, an individual,

31 Plaintiffs,

32 v.

33 WELLS FARGO BANK, N.A., a business
34 entity; AMERICAN HOME MORTGAGE
35 SERVICING, INC., a business entity; and Does
36 1 through 100, inclusive,

37 Defendants.

38 Case No. 3:12-CV-06150-JSW

39 **STIPULATION AND [PROPOSED]
40 ORDER EXTENDING RESPONSE
41 DEADLINES TO DEFENDANTS'
42 MOTION TO DISMISS PLAINTIFF'S
43 COMPLAINT**

STIPULATION

Plaintiffs SCOT TOWNSEND and SHELLY TOWNSEND (öPlaintiffsö) and Defendants WELLS FARGO BANK, N.A. AS TRUSTEE FOR OPTION ONE MORTGAGE LOAN TRUST 2007-1, ASSET-BACKED CERTIFICATES, SERIES 2007-1 (erroneously sued as Wells Fargo Bank, N.A.) and HOMEWARD RESIDENTIAL, INC. (fka American Home Mortgage Servicing, Inc.) (öDefendantsö), by and through their counsel of record, stipulate as follows:

WHEREAS, on or about November 5, 2012, Plaintiffs filed a Complaint against Defendant alleging causes of action for breach of the covenant of good faith and fair dealing, promissory estoppel, negligent misrepresentation, violation of Civil Code Sections 2923.5 and 2924, breach of contract, invasion of privacy, violation of Business and Professions Code Section 17200;

WHEREAS, on or about December 4, 2012, Defendants removed this action to the United States District Court - Northern District of California;

WHEREAS, on or about December 11, 2012, Defendants filed a Motion to Dismiss Plaintiffs' Complaint;

WHEREAS, Plaintiffs' response to Defendants' Motion to Dismiss Plaintiffs' Complaint is December 26, 2012 and Defendants' reply is due January 2, 2013;

WHEREAS, the parties have agreed to extend Plaintiffs' time to respond to the Motion to Dismiss Plaintiffs' Complaint until December 27, 2012 and Defendants' reply to January 3, 2012;

IT IS HEREBY STIPULATED THAT Plaintiffs' time to respond to the Motion to Dismiss Plaintiffs' Complaint is extended by one day until December 27, 2012 and Defendants' reply is extended until January 3, 2012.

1 **SO STIPULATED:**
2

3 Dated: December 21, 2012

MELLEN LAW FIRM

5 By: /s/ Jessica Galletta

6 Jessica Galletta
7 Attorney for Plaintiffs
8 SCOT TOWNSEND
9 SHELLY TOWNSEND

10 Dated: December 21, 2012

11 LOCKE LORD LLP

12 By: /s/ Regina McClendon

13 Regina McClendon
14 Attorneys for Defendants
15 WELLS FARGO BANK, N.A. AS
16 TRUSTEE FOR OPTION ONE
17 MORTGAGE LOAN TRUST 2007-1,
18 ASSET-BACKED CERTIFICATES,
19 SERIES 2007-1 (erroneously sued as Wells
20 Fargo Bank, N.A.) and HOMEWARD
21 RESIDENTIAL, INC. (fka America Home
22 Mortgage Servicing, Inc.)

ORDER

IT IS HEREBY ORDERED that, pursuant to the Stipulation by and between Plaintiffs and Defendants, Plaintiffs' time to respond to the Motion to Dismiss Plaintiffs' Complaint is extended until December 27, 2012 and Defendants' reply is extended until January 3, 2012

Dated: January 2, 2013

Honorable Jeffrey S. White